

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADAM C. CRAMPTON,

Petitioner,

-against-

SUPERINTENDENT LILLEY,

Respondent.

23-CV-1274 (LTS)

TRANSFER ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Petitioner is currently incarcerated at Eastern Correctional Facility in Napanoch, New York. He brings this *pro se* petition for a writ of *habeas corpus* under 28 U.S.C. § 2254 challenging the constitutionality of his 2017 conviction in the Broome County Court in Binghamton, New York. Because Petitioner was convicted and sentenced in Broome County, which is located in the Northern District of New York, 28 U.S.C. § 112(a), this action should be transferred under Local Rule 83.3 to the United States District Court for the Northern District of New York.

CONCLUSION

The Clerk of Court is therefore directed to transfer this action to the United States District Court for the Northern District of New York. Whether Petitioner should be permitted to proceed further without payment of fees is a determination to be made by the transferee court. This order closes the case in this district.

Because Petitioner has not at this time made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue under 28 U.S.C. § 2253.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: February 15, 2023
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge